Ohio Legislative Service Commission

Jim Ramey

Fiscal Note & Local Impact Statement

Bill: H.B. 92 of the 129th G.A. **Date**: June 22, 2011

Status: As Enacted **Sponsor**: Reps. Martin and Beck

Local Impact Statement Procedure Required: No

Contents: Allows an adult to be adopted if the adult is the child of the spouse of the adoption petitioner, is totally or permanently disabled, had established a kinship caregiver relationship with the petitioner, or was in a planned permanent living arrangement with a public children services or private child placing agency, and the adult consents to the adoption and to extend to a grandparent's spouse the exemption from certain adoptive placement requirements

State Fiscal Highlights

- The bill may result in a minimal increase in costs for the Office of Vital Statistics in the Ohio Department of Health to change a birth record, as well as a minimal gain in fee revenue if a copy of the changed birth record is requested.

Local Fiscal Highlights

- The bill may result in a minimal increase in costs for probate courts to hold hearings on additional adult adoption cases, which would be offset by a gain in adoption filing fee revenue.

Detailed Fiscal Analysis

Adult adoption

The bill modifies the state's adoption laws by expanding the circumstances under which an adult may be adopted. The bill allows for adoption of an adult if the adult to be adopted is the child of the spouse of the adoption petitioner, is totally or permanently disabled, had established a kinship caregiver relationship with the petitioner, or was in a planned permanent living arrangement with a public children services or private child placing agency, and the adult consents to the adoption. The fiscal impact of the bill is expected to be minimal since the number of cases filed under the circumstance allowed under the bill is likely to be few. In addition, the courts already have an established process for handling adult adoption cases. For each case that is filed, the local probate court would incur costs to conduct a hearing and to approve the adoption. Those costs may be offset by a gain in adoption filing fee revenue. Courts collect a $50 adoption filing fee that is deposited into the county general fund. Each court may also require an advance deposit that ranges from $125 to $200 for other court costs, such as notifying parties involved. That portion of the court fee is deposited into the court's special projects fund.

The Office of Vital Statistics within the Ohio Department of Health (ODH) will also incur minimal costs to change a birth record once the court has approved the adoption. While ODH does not charge a fee to change a birth record, it does charge a $21.50 fee for a copy of a birth record. ODH will experience a gain in revenue if a copy of the changed birth record is requested. Fee revenue for copies of birth records is deposited into the General Operation Fund (Fund 4700) and used to pay the costs of fee-supported programs, including vital statistics, operated by ODH.

Exemption from adoption placement requirements

Current law provides that certain adoption placement requirements do not apply to an adoption by a stepparent, a grandparent, or a guardian. The bill extends this exemption to a grandparent's husband or wife.[1] This provision could result in additional adoption cases if the spouse of a grandparent who had previously adopted a child before the bill's effective date seeks to adopt the child. The number of cases is likely to be few; additional court costs would be negligible.

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[1] For details regarding these requirements, see the bill analysis for H.B. 46, As Introduced.